

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

FILED
SEP 05 2007
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS
EAST ST. LOUIS OFFICE

FREDERICK RICKY LAMBERT,

Plaintiff/Petitioner(s),
(N-30421)

-vs-

LEE RYKER,

Defendant/Respondent(s).

Case No. 07-607-MJR

(To be supplied by the Clerk)

**MOTION AND AFFIDAVIT IN SUPPORT OF REQUEST
TO PROCEED IN FORMA PAUPERIS**

I, Frederick Ricky Lambert, being first duly sworn, depose and say that I am the plaintiff/petitioner in the above entitled cause; that in support of my request to proceed without being required to prepay fees, costs or give security therefor, I state that because of my poverty, I am unable to pay the costs of said proceeding or to give security therefor, and that I believe I am entitled to relief.

The nature of the action is: () Civil Rights ☒ Habeas Corpus () Appeal

1. Are you presently employed? Yes ☒ No ()

a. If the answer is "yes", state the amount of your salary or wages per month, and give the name and address of your employer.

I have a Job Assignment here at the prison and receive \$30.00 a
Month State Prison Pay.

b. If the answer is "no", state the date of last employment and the amount of salary or wages per month which you received.

N/A

2. Have you received within the past twelve months any money from any of the following sources?

- | | |
|---|--|
| a. Business, profession or form of self-employment? | Yes () No <input checked="" type="checkbox"/> |
| b. Rent payments, interest or dividends? | Yes () No <input checked="" type="checkbox"/> |
| c. Pensions, annuities or life insurance payments? | Yes () No <input checked="" type="checkbox"/> |
| d. Gifts or inheritances? | Yes () No <input checked="" type="checkbox"/> |
| e. Any other sources? | Yes <input checked="" type="checkbox"/> No () |

If the answer to any of the above is "yes", describe each source of money and state the amount received during the past twelve months.

Every now and then, I receive Money from Friends and or
Relative's.

3. Do you own cash, or do you have money in a checking or savings account? Yes () No (☒)
 (include any funds in prison accounts). If the answer is "yes", state the total value of the items owned.

N/A

4. Do you own any real estate, stocks, bonds, notes, automobiles or other valuable property (excluding ordinary household furnishings and clothing)? Yes () No (☒) If the answer is "yes", describe the property and state its approximate value.

N/A

5. List the persons who are dependent upon you for support, state your relationship to those persons, and indicate how much you contribute toward their support.

None

PRIOR LITIGATION

You may not bring a civil action or appeal a civil judgment under 28 U.S.C. § 1915 if you have "on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted" unless you are "under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

Have you ever filed any other lawsuits in any federal court during this or any other period of incarceration?

Yes (☒) No ()

If yes, please provide the following section about your prior cases. If necessary, you may attach additional pages to this form to provide all the required information about each of your prior cases. Failure to provide complete, accurate information about all your prior litigation may result in denial of your request to proceed *in forma pauperis*.

1. Case name: Lambert v. Owens Case Number: 99-CV-50076

Court: U.S. Dist Ct. Northern Date filed: In 1999 (don't no date)
District of Illinois.

Claims raised: I can't remember the exact claims, it was a civil matter

under 1983 (Article 42) relating to Jail conditions.

Result: Dismissed ... no appeal pursued.

2. Case name: None Case Number: None
 Court: N/A Date filed: N/A
 Claims raised: N/A
 Result: N/A
3. Case name: N/A Case Number: N/A
 Court: N/A Date filed: N/A
 Claims raised: N/A
 Result: N/A

DECLARATION UNDER PENALTY OF PERJURY

I declare (or certify, verify or state) under penalty of perjury, that I am the plaintiff/petitioner in the above action, that I have read the foregoing Motion and Affidavit and that the information contained therein is true and correct. 28 U.S.C. § 1746; 18 U.S.C. § 1621. I authorize the agency having custody of my person to withdraw funds from my prison trust account and forward payments to the Clerk of Court, in accord with 28 U.S.C. § 1915.

8/29/07
 Date

Fredrick Lee Jones
 Signature of Plaintiff/Petitioner

I declare under penalty of perjury that the above information is true and correct. I understand that pursuant to 28 U.S.C. § 1915(e)(2)(A), the court shall dismiss this case at any time if the court determines that my allegation of poverty is untrue.

Date: August 21, 2007

Frederick Ricky Lambert
Signature of Applicant

Frederick Ricky Lambert (N30421)
(Print Name)

NOTICE TO PRISONERS: A prisoner must also attach a statement certified by the appropriate institutional officer or officers showing all receipts, expenditures and balances during the last six months in the prisoner's prison or jail trust fund accounts. Because the law requires information as to such accounts covering a full six months before you have filed your lawsuit, you must attach a sheet covering transactions in your own account--prepared by each institution where you have been in custody during that six-month period--and you must also have the Certificate below completed by an authorized officer at each institution.

CERTIFICATE

(Incarcerated applicants only)

(To be completed by the institution of incarceration)

I certify that the applicant named herein, Frederick Lambert, I.D.# N30421, has the sum of \$ 135.68 on account to his/her credit at (name of institution) Lawrence Correctional Center.

I further certify that the applicant has the following securities to his/her credit: _____. I further certify that during the past six months the applicant's average monthly deposit was \$ 159.24.
(Add all deposits from all sources and then divide by number of months).

8-24-07

DATE

John Rohr
SIGNATURE OF AUTHORIZED OFFICER

John Rohr

(Print name)

Time: 10:29am

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Trust Fund
Inmate Transaction Statement

REPORT CRITERIA - Date: 02/24/2007 thru End; Inmate: N30421; Active Status Only ? : No; Print Restrictions ? : Yes;
Transaction Type: All Transaction Types; Print Furloughs / Restitutions ? : Yes; Include Inmate Totals ? : Yes; Print
Balance Errors Only ? : No

Inmate: N30421 Lambert, Frederick R.

Housing Unit: LAW-R5-BL-22

Date	Source	Transaction Type	Batch	Reference #	Description	Amount	Balance
Beginning Balance:							223.59
03/08/07	Point of Sale	60 Commissary	067728	192748	Commissary	-71.13	152.46
03/15/07	Payroll	20 Payroll Adjustment	074134		P/R month of 02/2007	27.45	179.91
03/21/07	Point of Sale	60 Commissary	080731	194439	Commissary	-33.79	146.12
04/04/07	Point of Sale	60 Commissary	094724	196019	Commissary	-88.79	57.33
04/13/07	Payroll	20 Payroll Adjustment	103134		P/R month of 03/2007	28.80	86.13
04/18/07	Disbursements	84 Library	108334	Chk #17950	055477, DOC - Library Copies, Inv. Date: 03/27/2007	-3.45	82.68
04/18/07	Disbursements	84 Library	108334	Chk #17950	055604, DOC - Library Copies, Inv. Date: 04/13/2007	-1.50	81.18
04/18/07	Disbursements	80 Postage	108334	Chk #17951	055726, DOC: 523 Fund Reimburs, Inv. Date: 04/17/2007	-.39	80.79
04/18/07	Disbursements	81 Legal Postage	108334	Chk #17951	055471, DOC: 523 Fund Reimburs, Inv. Date: 03/26/2007	-5.00	75.79
04/29/07	Mail Room	10 Western Union	119200	3540302107	LAMBERT, ANTOWAN	150.00	225.79
05/04/07	Point of Sale	60 Commissary	124724	197733	Commissary	-64.89	160.90
05/15/07	Payroll	20 Payroll Adjustment	135134		P/R month of 04/2007	4.11	165.01
05/16/07	Disbursements	80 Postage	136334	Chk #18252	055914, DOC: 523 Fund Reimburs, Inv. Date: 04/30/2007	-2.31	162.70
05/18/07	Point of Sale	60 Commissary	138724	199314	Commissary	-27.15	135.55
06/04/07	Point of Sale	60 Commissary	155714	200769	Commissary	-46.42	89.13
06/14/07	Payroll	20 Payroll Adjustment	165134		P/R month of 05/2007	28.80	117.93
06/15/07	Point of Sale	60 Commissary	166724	202072	Commissary	-83.63	34.30
06/15/07	Disbursements	80 Postage	166334	Chk #18543	056035, DOC: 523 Fund Inmate R, Inv. Date: 05/21/2007	-.41	33.89
06/15/07	Disbursements	84 Library	166334	Chk #18544	056111, DOC: 523 Fund Library, Inv. Date: 06/04/2007	-1.20	32.69
06/27/07	Mail Room	01 MO/Checks (Not Held)	178221	03017652	Flores, Jean	50.00	82.69
06/27/07	Mail Room	01 MO/Checks (Not Held)	178221	03017650	Flores, Jean	50.00	132.69
06/27/07	Mail Room	01 MO/Checks (Not Held)	178221	03017649	Flores, Jean	50.00	182.69
06/27/07	Mail Room	01 MO/Checks (Not Held)	178221	03017651	Flores, Jean	50.00	232.69
07/03/07	Point of Sale	60 Commissary	184724	203750	Commissary	-32.38	200.31
07/16/07	Disbursements	80 Postage	197334	Chk #18762	056496, DOC: 523 Fund Inmate R, Inv. Date: 07/06/2007	-.58	199.73
07/16/07	Payroll	20 Payroll Adjustment	197134		P/R month of 06/2007	27.45	227.18
07/19/07	Point of Sale	60 Commissary	200714	205214	Commissary	-134.47	92.71
08/02/07	Point of Sale	60 Commissary	214731	206791	Commissary	-56.52	36.19
08/09/07	Point of Sale	60 Commissary	221724	207985	Commissary	-16.92	19.27
08/10/07	Payroll	20 Payroll Adjustment	222134		P/R month of 07/2007	28.80	48.07
08/10/07	Mail Room	01 MO/Checks (Not Held)	222219	08-747947146	Benford, Estella	50.00	98.07
08/10/07	Mail Room	01 MO/Checks (Not Held)	222219	08-747947148	Benford, Estella	50.00	148.07
08/10/07	Mail Room	01 MO/Checks (Not Held)	222219	08-747947147	Benford, Estella	50.00	198.07
08/10/07	Mail Room	01 MO/Checks (Not Held)	222219	08-747947149	Benford, Estella	50.00	248.07
08/16/07	Disbursements	80 Postage	228334	Chk #19131	056579, DOC: 523 Fund Inmate R, Inv. Date: 07/20/2007	-4.60	243.47
08/16/07	Disbursements	80 Postage	228334	Chk #19131	056868, DOC: 523 Fund Inmate R, Inv. Date: 08/15/2007	-3.17	240.30
08/21/07	Point of Sale	60 Commissary	233729	209566	Commissary	-87.26	153.04
08/23/07	Disbursements	88 Filing Petition with the Court	235334	Chk #19201	056956, US District Court, Sou, Inv. Date: 08/23/2007	-5.00	148.04

Time: 10:29am

Lawrence Correctional Center

Trust Fund

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Inmate Transaction Statement

REPORT CRITERIA - Date: 02/24/2007 thru End; Inmate: N30421; Active Status Only ? : No; Print Restrictions ? : Yes;
Transaction Type: All Transaction Types; Print Furloughs / Restitutions ? : Yes; Include Inmate Totals ? : Yes; Print
Balance Errors Only ? : No

Inmate: N30421 Lambert, Frederick R.

Housing Unit: LAW-R5-BL-22

Total Inmate Funds:	148.04
Less Funds Held For Orders:	.00
Less Funds Restricted:	12.36
Funds Available:	135.68
Total Furloughs:	.00
Total Voluntary Restitutions:	.00

RESTRICTIONS

Invoice Date	Invoice Number	Type	Description	Vendor	Amount
08/22/2007	056941	Disb	Legal Postage	99999 DOC: 523 Fund Inmate Reimbursemen	\$5.05
08/23/2007	056956	Disb	Legal Postage	99999 DOC: 523 Fund Inmate Reimbursemen	\$0.41
08/23/2007	056957	Disb	Library	2 DOC: 523 Fund Library	\$5.60
08/23/2007	056957	Disb	Library	2 DOC: 523 Fund Library	\$1.30
Total Restrictions:					\$12.36

IN THE
UNITED STATE DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

FREDERICK RICKY LAMBERT,)
)
(N-30421) Petitioner,) Case No. 07-607-MJR
v.)
)
LEE RYKER,)
Respondent.)

PROOF/CERTIFICATE OF SERVICE

TO: UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS
P.O. Box 249
East St. Louis, IL 62202

TO: _____

PLEASE TAKE NOTICE that on August 29, 2007, I have placed the documents listed below in the institutional mail at Lawrence Correctional Center, properly addressed to the parties listed above for mailing through the United States Postal Service: MOTION AND AFFIDAVIT IN SUPPORT OF REQUEST
TO PROCEED IN FORMA PAUPERIS

I, Frederick Ricky Lambert, Being first duly sworn upon my oath depose and state that I have served the above Representative's with the above attached documents by placing the same in the U.S. Postal/Mail Box here at Lawrence C.C. Center on this 29 day of August, 2007. Postage Prepaid.

/s/ Frederick Ricky Lambert
NAME: Frederick Ricky Lambert
IDOC#: N-30421
Lawrence Correctional Center
RR 2 Box 31
Sumner, IL 62466

Subscribed and sworn to before me this 29th day of August, 2007.
Notary : Sharon L. McConille

